

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

IN RE:	)	
	)	
JOSEPH ANTHONY NICOTERA	)	Case No. 20-31700-KLP
CAROLYN MARIE NICOTERA	)	Chapter 13
	)	
Debtors	)	

**NOTICE OF MOTION TO IMPOSE THE AUTOMATIC STAY AND  
NOTICE OF MOTION TO EXTEND THE AUTOMATIC STAY AND HEARING**

The above-named Debtors, by counsel, have filed a Motion with the Court to Impose the Automatic Stay as to Joseph Anthony Nicotera pursuant to 11 U.S.C. § 362(c)(4)(B) and a Motion to Extend the Automatic Stay with the Court pursuant to 11 U.S.C. § 362(c)(3)(B) as to Carolyn Marie Nicotera. Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one.

**NOTICE IS HEREBY GIVEN THAT A HEARING ON THIS MOTION WILL BE HELD ON April 15, 2020 at 10:00 a.m. in Honorable Keith L. Phillips' Courtroom, U.S. Bankruptcy Court, 701 E. Broad Street, Room 5100, Richmond, VA 23219.**

If you want to be heard on this matter, then no later than three (3) days before the date of the hearing, you or your attorney must:

1. File with the court, at the address below, a written response pursuant to Local Rule 9013-1(H). If you mail your response to the Court for filing, you must mail it early enough so that the Court will **receive** it on or before the date stated above.

Clerk of Court  
United States Bankruptcy Court  
701 E. Broad Street, Room 4000  
Richmond, VA 23219-3515

2. You must also mail a copy to:

James E. Kane, Esquire  
Kane & Papa, PC  
P.O. Box 508  
Richmond, VA 23218

James E. Kane (VSB# 30081)  
Kane & Papa, P.C.  
P. O. Box 508  
Richmond, Virginia 23218-0508  
Telephone (804) 225-9500  
*Counsel for Debtors*

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an Order granting that relief.

Respectfully submitted,

JOSEPH ANTHONY NICOTERA  
CAROLYN MARIE NICOTERA  
By Counsel

/s/ James E. Kane  
James E. Kane (VSB# 30081)  
Kane & Papa, P.C.  
P. O. Box 508  
Richmond, Virginia 23218-0508  
Telephone (804) 225-9500  
*Counsel for Debtors*

**CERTIFICATE OF SERVICE**

I certify that on April 1, 2020, I have transmitted a true copy of the foregoing document electronically through the Court's CM/ECF system or by mail to the Debtors, Chapter 13 trustee, the United States trustee if other than by the electronic means provided for at Local Bankruptcy Rule 2002-1, all attorneys appearing in the previous case as listed below, and to all creditors and parties in interest of the mailing matrix attached hereto.

/s/ James E. Kane  
Counsel for Debtors

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

IN RE:	)	
	)	
JOSEPH ANTHONY NICOTERA	)	Case No. 20-31700-KLP
CAROLYN MARIE NICOTERA	)	Chapter 13
	)	
Debtors	)	

**MOTION TO IMPOSE THE AUTOMATIC STAY  
AND MOTION TO EXTEND THE AUTOMATIC STAY**

COME NOW the Debtors, JOSEPH ANTHONY NICOTERA and CAROLYN MARIE NICOTERA (the “Debtors”), by counsel, and pursuant to 11 U.S.C. § 362(c)(4)(B), file the following Motion to Impose the Automatic Stay as to Joseph Anthony Nicotera, and pursuant to 11 U.S.C. § 362(c)(3)(B) to Extend the Automatic Stay as to Carolyn Marie Nicotera, and affirmatively state as follows:

1. Jurisdiction of this Court over the instant matter is based upon 28 U.S.C. §§ 1334 and 157 in that this action arises in and relates to the bankruptcy case of the Debtors.
2. This proceeding is a core proceeding under 28 U.S.C. § 157(b)(2)(A), (B), (K), and (O).
3. Venue is proper pursuant to 28 U.S.C. § 1409.
4. On March 27, 2020 (hereinafter the “Petition Date”), the Debtors filed a petition for relief under Chapter 13 of the Bankruptcy Code (the “instant case”).
5. Within the year prior to filing the instant case, Joseph Anthony Nicotera has been a debtor in two (2) pending Chapter 13 bankruptcy cases which were dismissed.
6. Within the year prior to filing the instant case, Carolyn Marie Nicotera has been a debtor in one (1) pending Chapter 13 bankruptcy case which was dismissed.

WHEREFORE, the Debtors, JOSEPH ANTHONY NICOTERA and CAROLYN MARIE NICOTERA, respectfully request this Honorable Court to enter an Order imposing the automatic stay as to all creditors as to Joseph Anthony Nicotera and extending the automatic stay as to Carolyn Marie Nicotera, and as to the property of the estate of the Debtors, for the duration of the instant case, and for such other and further relief as to the Court shall be deemed appropriate.

Respectfully submitted,

JOSEPH ANTHONY NICOTERA  
CAROLYN MARIE NICOTERA  
By Counsel:

/s/ James E. Kane  
James E. Kane (VSB# 30081)  
Kane & Papa, P.C.  
P. O. Box 508  
Richmond, Virginia 23218-0508  
Telephone (804) 225-9500  
Counsel for Debtors

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/s/ James E. Kane  
Counsel for Debtors

AES/FED  
PO Box 2461  
Harrisburg, PA 17106

Aura Zelada  
1631 East Vine St. Ste. 300  
Kissimmee, FL 34744

Bank of America  
Attn: Bankruptcy  
P.O. 982284  
El Paso, TX 79998

C. Conrad c/o Jason Pelt  
2052 Jefferson Davis Highway  
Suite 201  
Stafford, VA 22554

Cavalry Portfolio Services  
500 Summit Lake  
Suite 400  
Valhalla, NY 10595

David Murphy  
40 Carousel Dr.  
Portland, CT 06480

Don Southern  
c/o Goodall, Pelt, Carper  
1259 Courthouse Road  
Stafford, VA 22554

ECMC Group  
Attn: Bankruptcy  
111 Washington Ave South, Ste 1400  
Minneapolis, MN 55401

EduCap Inc.  
Attn: Bankruptcy  
PO Box 82522  
Lincoln, NE 68501

Fredericksburg Emergency Med  
1001 Sam Perry Blvd  
Fredericksburg, VA 22401

Internal Revenue Service  
Centralized Insolvency Operati  
P. O. Box 7346  
Philadelphia, PA 19101-7346

John A. Nere, Jr., P.C.  
806 Princess Anne St.  
Fredericksburg, VA 22401

Kevin Fitzsimmons  
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Stafford, VA 22554

Martin C. Conway  
12934 Hardbor Dr. Ste. 107  
Woodbridge, VA 22192

Mary Washington Hospital  
1001 Sam Perry Blvd  
Fredericksburg, VA 22401

OneMain Financial  
Attn: Bankruptcy  
Po Box 3251  
Evansville, IN 47731

Pentagon Federal Cr Un  
2930 Eisenhower Ave  
Alexandria, VA 22314

Pentagon Federal Credit Union  
Attn: Bankruptcy  
Po Box 1432  
Alexandria, VA 22313

Quantum3 Group, LLC  
PO Box 788  
Kirkland, WA 98083

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6114 Dory Landing Court  
Burke, VA 22015

Shane A. Sims  
PO Box 7166  
Fredericksburg, VA 22404

Sharon Stuart, Esquire  
8002 Discovery Drive, Ste. 422  
Henrico, VA 23229

Southwest Credit Systems  
4120 International Parkway  
Suite 1100  
Carrollton, TX 75007

Spotsylvania County Treasurer  
9104 Courthouse Rd  
Spotsylvania, VA 22553

US Bank Home Mortgage  
4801 Frederica St.  
Owensboro, KY 42301

US Department of Education  
PO Box 105028  
National Payment Center  
Atlanta, GA 30348-5028

USAA Federal Savings Bank  
Attn: Bankruptcy  
10750 Mcdermott Freeway  
San Antonio,, TX 78288

USAA Federal Savings Bank  
Attn: Bankruptcy  
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San Antonio, TX 78288

Virginia Department of Taxatio  
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Richmond, VA 23218

Virginia Partners Credit Union  
Po Box 8029  
Fredericksburg, VA 22404

Vistas at Windsor Hills Townho  
1631 East Vine St. Ste. 300  
Kissimmee, FL 34744

Windsor Hills Master Community  
1631 East Vine St., Ste. 300  
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